REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application. Claim 87 is canceled without prejudice. Claim 82 is amended to incorporate the elements of canceled claim 87. Claim 88 is amended to depend from claim 82 rather than canceled claim 87. Claims 1-6, 12, 13, 28-86, and 88-91 are pending in this application.

Double Patenting

Claims 1-6, 12-13, and 28-91 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-18 of U.S. Patent No. 6,006,241 to Purnaveja et al., claims 1-18 of U.S. Patent No. 6,230,172 to Purnaveja et al., claims 1-39 of U.S. Patent No. 6,173,317 to Chaddha et al., and claims 1-25 of U.S. Patent No. 6,484,156 to Gupta et al. Applicant previously submitted a terminal disclaimer to overcome the obviousness-type double patenting rejection over the claims of U.S. Patent No. 6,006,241 to Purnaveja et al. Accompanying this response are terminal disclaimers in compliance with 37 CFR 1.321(c) to overcome the obviousness-type double patenting rejections over claims 1-18 of U.S. Patent No. 6,230,172 to Purnaveja et al., claims 1-39 of U.S. Patent No. 6,173,317 to Chaddha et al., and claims 1-25 of U.S. Patent No. 6,484,156 to Gupta et al.

35 U.S.C. § 102

Claims 1-6, 12-13, and 28-91 stand rejected under 35 U.S.C. §102(e) as being unpatentable over "Towards Intelligent Recognition of Multimedia Episodes

in Real-Time Applications" 1994 ACM 0-89791-686-7/94/0010 by Gabbe et al. (hereinafter "Gabbe"). Claim 87 has been canceled without prejudice. Applicant respectfully submits that claims 1-6, 12, 13, 28-86, and 88-91 are not anticipated by Gabbe.

Gabbe is directed to automatically generating indexes of real-time streams without requiring deep content analysis (see, Abstract). For each type of recorded system element (applications, users, video streams, audio streams, and communications & control), a set of machine identifiable events or conditions called triggers is specified (see, p. 228, middle of col. 1; and Figure 1). These triggers are events or conditions whose occurrence causes the recording system to create a record describing some aspects of the current state of the corresponding element (see, p. 228, middle of col. 1). These records contain an IER (Iconic Episode Representative) associated with the event (see, Figure 1). The IERs are mouse-sensitive icons that are symbolic or visual (see, p. 229, bottom of col. 1 and top of col. 2).

By putting sequences of related IERs into a structure – such as a linear array – one can provide a rudimentary "visual map" of the history of an interaction (see, p. 229, middle of col. 1). Such a Table of IERs, or TIER, gives a visually oriented outline of a complex series of episodes (see, p. 229, middle of col. 1), where episodes refer to a "unit of meaning" that exists as a distinguishable part of a large, multi-faceted, temporally extended entity, such as a meeting, a lecture, or an interactive game (see, p. 227, top of col. 2).

The TIERs are used in conjunction with a query-based information retrieval interface to provide multimodal retrieval capabilities (see, p. 232, bottom of col.

1). A recording agent builds a TIER for a conference and an index of all the text, control, and event information that can be obtained (see, p. 232, top of col. 2). Generating the TIER is discussed on page 233, top of col. 1, as follows:

> To generate a TIER, the recording agent has a number of processes that monitor each media stream and automatically partition them into self-contained units based on the contents. The recording agent then generates a icon of 160x120 pixels summarizing each visually-oriented episode. For video, the icon is a snapshot taken from the stream itself. The agent builds the TIER in real-time, and makes it immediately available to participants for browsing through the meeting and replaying earlier sections of the meeting. This is particularly useful for late joiners. By default, the visible part of a TIER always contains the most recently generated icons. However, the user may scroll back and forth in it and peruse any segment by clicking on an IER. In addition, the user may select any IER and annotate it with text using the annotation facility (see Figure 5).

In contrast, claim 1 is directed to one or more computer-readable media containing a computer program for annotating streaming media, wherein the program performs steps comprising:

> creating annotations interactively with a user, wherein the annotations correspond to identified segments of one or more media streams;
>
> graphically ordering the annotations in a desired order of presentation in response to user input; and
>
> in response to a user instruction, sequentially presenting the annotations along with their corresponding identified media stream segments in the desired order of presentation.

Applicant respectfully submits that Gabbe does not disclose graphically ordering the annotations in a desired order of presentation in response to user input as recited in claim 1.

As discussed above, Gabbe mentions that a user may select an IER and annotate it with text using an annotation facility. However, as discussed above, these IERs are associated with events or conditions whose occurrence causes the recording system to create a record describing some aspects of the current state of the corresponding element. The order of the IERs is driven by these events or conditions, and it is these IERs that Gabbe mentions may be annotated by a user. The ordering of any annotations that may be generated in response to the user annotating an IER will be based on the ordering of the IERs, not on any desired order of presentation.

In other words, there is nothing in Gabbe that discloses that annotations can be ordered in any desired order. There is nothing in Gabbe that discloses that annotations can be placed in any order other than the order of the IERs.

In the March 23 Final Office Action at page 3, the following portion of Gabbe is cited (spanning p. 229, bottom of col. 2 to p. 230, top of col. 1):

> As discussed in the subsequent section on multimedia-conference-recording application, the icons may be presented to the user as a film strip (iconic slider) through which the user can scroll or jump (see Figure 2). Since each IER is associated with a Last_Record_Generated vector, a user can redisplay all or part of the entire state of the recorded system associated with the icon by "selecting" it. The icons also serve as easily identifiable anchor points for attaching annotations, control events, and index records to episodes.

It was also asserted in the March 23 Final Office Action at pages 3-4 that:

> The IERs are displayed in some kind of window, allowed by window system (Figure 2) (e.g. Microsoft windows programming, Motif GUI standards in UNIX or Java GUI standard). Dragging is allowed by all of the above GUI standards. Therefore a user can drag the icons to reorient them along the desired sequence and replay the interesting portion/clips of the conference in the desired order.

> User also can select particular icons by using a mouse. Dragging visual entities in a window is a very basic feature of a GUI window.

Thus, it appears that the March 23 Final Office Action is asserting that because dragging is allowed in various GUI standards, the user can drag the icons in Gabbe to reorient them along the desired sequence and replay the interesting portion/clips of the conference in the desired order. Applicant respectfully submits that nothing in Gabbe discloses any such notion. Nowhere in Gabbe is there any mention or discussion of a user being able to reorient or drag such icons. Without such mention or discussion, Applicant respectfully submits that Gabbe cannot disclose graphically ordering the annotations in a desired order of presentation in response to user input as recited in claim 1.

MPEP §2131 states that, "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Applicant respectfully submits that the rejection of claim 1 does not meet this standard. As there is not even a mention in Gabbe of graphically ordering the annotations in a desired order of presentation in response to user input, much less a description of graphically ordering the annotations in a desired order of presentation in response to user input, Applicant respectfully submits that the standard for anticipation under 35 U.S.C. §102 is not satisfied by Gabbe with respect to claim 1.

Thus, for at least these reasons, Applicant respectfully submits that claim 1 is allowable over Gabbe.

With respect to claim 12, Applicant respectfully submits that Gabbe does not disclose allowing the ordering of the plurality of annotation identifiers to be changed by the user as recited in claim 12.

Applicant respectfully submits that, similar to the discussion above regarding claim 1, there is no ordering of annotation identifiers that can be changed by the user in Gabbe. As discussed above, the TIER of Gabbe gives a visually oriented outline of a complex series of episodes, but nowhere does Gabbe have any discussion that the user can change the ordering of episodes in the TIER, much less change the ordering of annotation identifiers. Furthermore, nowhere in Gabbe is there any mention that one or more of a plurality of annotations and a portion of the media stream corresponding to each of the plurality of annotations is provided in an order defined by the user-changeable ordering of annotation identifiers as recited in claim 12.

Thus, for at least these reasons, Applicant respectfully submits that claim 12 is allowable over Gabbe.

Regarding claim 28, Applicant respectfully submits that, similar to the discussion above regarding claim 12, Gabbe does not disclose or suggest reordering the plurality of identifiers in accordance with user input to change the order in which the media segments are to be presented as recited in claim 28.

Thus, for at least these reasons, Applicant respectfully submits that claim 28 is allowable over Gabbe.

Regarding claim 34, Applicant respectfully submits that, similar to the discussion above regarding claim 1, Gabbe does not disclose or suggest graphically ordering annotations in a desired order of presentation in response to

user input, wherein the annotations correspond to identified segments of one or more media streams; and in response to a user instruction, sequentially presenting the annotations along with their corresponding identified media stream segments in the desired order of presentation as recited in claim 34. Thus, for at least these reasons, Applicant respectfully submits that claim 34 is allowable over Gabbe.

Regarding claim 38, Applicant respectfully submits that, similar to the discussion above regarding claim 12, Gabbe does not disclose or suggest configuring a first portion of a user interface to display a plurality of identifiers corresponding to a plurality of annotations, the plurality of identifiers corresponding to a playlist of media segments to be seamlessly presented to a user; and reordering the plurality of identifiers in accordance with user input to change the order in which the media segments are to be presented as recited in claim 38. Thus, for at least these reasons, Applicant respectfully submits that claim 38 is allowable over Gabbe.

Regarding claim 42, Applicant respectfully submits that, similar to the discussion above regarding claim 1, Gabbe does not disclose or suggest graphically ordering annotations in a desired order of presentation in response to user input, wherein the annotations correspond to identified segments of one or more media streams; and in response to a user instruction, sequentially presenting the annotations in the desired order of presentation as recited in claim 42. Thus, for at least these reasons, Applicant respectfully submits that claim 42 is allowable over Gabbe.

Regarding claim 43, Applicant respectfully submits that, similar to the discussion above regarding claim 1, Gabbe does not disclose or suggest

graphically ordering annotations in a desired order of presentation in response to user input, wherein the annotations correspond to identified segments of one or more media streams; and in response to a user input, sequentially presenting the identified media segments corresponding to the annotations in the desired order of presentation as recited in claim 43. Thus, for at least these reasons, Applicant respectfully submits that claim 43 is allowable over Gabbe.

Regarding claim 44, Applicant respectfully submits that, similar to the discussion above regarding claim 12, Gabbe does not disclose or suggest means for configuring a first portion of a user interface to display a plurality of identifiers corresponding to a plurality of annotations, the plurality of identifiers corresponding to a playlist of media segments to be seamlessly presented to a user; and means for reordering the plurality of identifiers in accordance with user input to change the order in which the media segments are to be presented as recited in claim 44. Thus, for at least these reasons, Applicant respectfully submits that claim 44 is allowable over Gabbe.

Regarding claim 48, Applicant respectfully submits that, similar to the discussion above regarding claim 1, Gabbe does not disclose or suggest graphically ordering the annotations in a desired order of presentation in response to user input; and in response to a user instruction, sequentially presenting the annotations along with their corresponding identified media stream segments in the desired order of presentation as recited in claim 48. Thus, for at least these reasons, Applicant respectfully submits that claim 48 is allowable over Gabbe.

Regarding claim 52, Applicant respectfully submits that, similar to the discussion above regarding claim 1, Gabbe does not disclose or suggest a plurality

of instructions that cause a system to graphically order the annotations in a desired order of presentation in response to user input; and in response to a user instruction, sequentially present the annotations along with their corresponding identified media stream segments in the desired order of presentation as recited in claim 52. Thus, for at least these reasons, Applicant respectfully submits that claim 52 is allowable over Gabbe.

Regarding claim 54, Applicant respectfully submits that, similar to the discussion above regarding claim 1, Gabbe does not disclose or suggest receiving an indication of a plurality of annotations selected by a user, wherein each of the plurality of annotations corresponds to a media stream or to one or more media streams; and seamlessly providing, in an order which is identified by the user and can be changed by the user, one or more of, the plurality of annotations, and at least a portion of the media stream corresponding to each of the plurality of annotations as recited in claim 54. Thus, for at least these reasons, Applicant respectfully submits that claim 54 is allowable over Gabbe.

Regarding claim 59, claim 59 depends from claim 54 and Applicant respectfully submits that claim 59 is allowable over Gabbe for at least the reasons discussed above with respect to claim 54. Furthermore, Applicant respectfully submits that Gabbe does not disclose or suggest storing the at least a portion of the media stream corresponding to each of the plurality of annotations as a new media stream of the one or more media streams as recited in claim 59. There is no discussion whatsoever in Gabbe of storing portions of a media stream corresponding to each of a plurality of annotations as a new media stream. Nothing in Gabbe makes any disclosure or suggestion of storing such a new media

stream that is based on the plurality of annotations as recited in claim 59. Thus, for at least these reasons, Applicant respectfully submits that claim 59 is allowable over Gabbe.

Regarding claim 63, Applicant respectfully submits that, similar to the discussion above regarding claim 1, Gabbe does not disclose or suggest retrieving a particular collection of annotations from the annotation database; presenting the annotations of the retrieved collection to a user in an order which is input by the user and which can be changed by the user; and managing sequential presentation to the user of the media stream segments corresponding to the presented annotations as recited in claim 63. Thus, for at least these reasons, Applicant respectfully submits that claim 63 is allowable over Gabbe.

Regarding claim 68, claim 68 depends from claim 63 and Applicant respectfully submits that claim 68 is allowable over Gabbe for at least the reasons discussed above with respect to claim 63. Furthermore, Applicant respectfully submits that, similar to claim 59 discussed above, Gabbe does not disclose or suggest saving information regarding the media stream segments as an additional new media stream as recited in claim 68. Thus, for at least these reasons, Applicant respectfully submits that claim 68 is allowable over Gabbe.

Regarding claim 73, claim 73 recites, in part:

> receiving an indication of particular user-selected annotations of a plurality of annotations, wherein each of the plurality of annotations corresponds to a media stream or to one or more media streams; and
>
> seamlessly providing one or more of,
>
> the user-selected annotations, and
>
> at least a portion of the media stream corresponding to each of the user-selected annotations.

Applicant respectfully submits that Gabbe does not disclose or suggest receiving an indication of particular user-selected annotations of a plurality of annotations, wherein each of the plurality of annotations corresponds to a media stream or to one or more media streams, and seamlessly providing one or more of the user-selected annotations and at least a portion of the media stream corresponding to each of the user selected annotations as recited in claim 73.

In the March 23 Final Office Action at page 3, it was asserted that:

> The quoted text excerpts clearly indicates that multimedia streams are divided into episodes. The episode consists of a plurality of continuous/seamless frames. The IER is associated with an episode. The annotations can be typed in an IER. Therefore IER is basically a visual annotation to the associated episode . . . Within each episode the playback is seamless.

However, Applicant respectfully submits that nothing in Gabbe discloses or suggests the ability of a user to select particular annotations from a plurality of annotations corresponding to a media stream, and then seamlessly providing those user-selected annotations and/or the portions of the media stream corresponding to those user-selected annotations. There is no mention or discussion whatsoever in Gabbe of seamlessly providing such annotations and/or portions of the media stream corresponding to such annotations. Even if each episode consists of seamless frames as asserted in the March 23 Office Action, there is no mention or discussion of playback between episodes corresponding to user-selected annotations being seamless. As discussed above, Gabbe discloses that a user can "jump" through icons on a film strip, but there is no mention that annotations and/or portions of the media stream corresponding to such annotations are provided seamlessly when performing such jumping.

Thus, for at least these reasons, Applicant respectfully submits that claim 73 is allowable over Gabbe

Regarding amended claim 82, Applicant respectfully submits that, similar to claim 59 discussed above, Gabbe does not disclose or suggest saving information regarding the media stream segments as an additional new media stream as recited in amended claim 82. Applicant respectfully submits that nowhere is there any mention or discussion in Gabbe of saving information regarding the media stream segments as an additional new media stream as recited in amended claim 82. Thus, for at least these reasons, Applicant respectfully submits that amended claim 82 is allowable over Gabbe.

Given that claims 2-6 depend from claim 1, claim 13 depends from claim 12, claims 29-33 depend from claim 28, claims 35-37 depend from claim 34, claims 39-41 depend from claim 38, claims 45-47 depend from claim 44, claims 49-51 depend from claim 48, claim 53 depends from claim 52, claims 55-58 and 60-62 depend from claim 54, claims 64-67 and 69-72 depend from claim 63, claims 74-81 depend from claim 73, and claims 83-86 and 88-91 depend from amended claim 82, Applicant respectfully submits that claims 2-6, 13, 29-33, 35-37, 39-41, 45-47, 49-51, 53, 55-58, 60-62, 64-67, 69-72, 74-81, 83-86, and 88-91 are likewise allowable over Gabbe for at least the reasons discussed above regarding their respective independent base claims.

Applicant respectfully requests that the §102 rejections be withdrawn.

Conclusion

Claims 1-6, 12, 13, 28-86, and 88-91 are in condition for allowance. Applicant respectfully requests reconsideration and issuance of the subject application. Should any matter in this case remain unresolved, the undersigned attorney respectfully requests a telephone conference with the Examiner to resolve any such outstanding matter.

Respectfully Submitted,

Date: 5/19/04

By: _____

Allan T. Sponseller
Reg. No. 38,318
(509) 324-9256